

## South Brunswick Township Checklist

### Sec. 62-153 Preliminary Approval of Major Subdivisions

(a) *Application requirements.* At least ten days and no more than 20 days prior to a regular meeting of the municipal agency, the applicant for preliminary approval of a major subdivision shall file the following documents with the secretary of the municipal agency:

- (1) *Preliminary plat.* At least 21 black-on-white prints of a preliminary plat, prepared or certified by a professional engineer or land surveyor. The purpose of the preliminary plat is to transfer the proposals of the sketch plat to a precise base to verify their feasibility and merit, and the following data must be shown:
  - a. Proposed subdivision layout at a scale of one inch equals 50 feet, using a land survey as a base and showing sections of street improvements and profiles in critical locations.
  - b. Existing and proposed contours at two-foot intervals for slopes in excess of ten percent and at one-foot intervals for land of lesser slope. These data should be based on official township data available in the office of the township engineer. Where and when available, LiDAR data from a county, state or federal agency may be used.
  - c. The location of all proposed and existing lot lines, dimensioned in feet and tenths; the areas of all lots in square feet; setback lines; streets within 200 feet of the subdivision and which must conform to the adopted street plans of the county and the township; buildings; watercourses; steep slope areas; railroads; bridges; culverts; drainpipes; utility layouts; sewers; storm drains; traffic control devices; and water, gas, electricity, telephone and cable television lines, showing feasible connections to existing or proposed utility systems. Specifications shall be accurate to within plus five percent; e.g., a lot specified as 250 feet long may not be less than 250 feet but may be as long as 262.5 feet.

For electric, telephone and cable television facilities, The developer shall arrange with the servicing utility and CATV company for the underground installation of their distribution supply lines and service connections in accordance with the provisions of the applicable standard terms and conditions incorporated as a part of their tariffs, as such are then on file with the state board of public utility commissioners, and shall submit to the planning board, as a condition of granting of preliminary approval, a written instrument from each serving utility and CATV company which shall evidence full compliance with the provisions of this subsection.

Underground installation of electrical utilities shall include provisions for streetlights with all necessary appurtenances at locations which shall be determined as a part of the preliminary subdivision procedure. When lots in the proposed subdivision abut existing streets within which overhead electric, telephone or CATV distribution supply lines have theretofore been installed on any portion of such abutting street, the electric, telephone and CATV service may be supplied from such overhead lines, but all service connections from such overhead lines shall be installed underground. The location of access facilities for servicing the utility or CATV plant subdivision shall be developed in conjunction with, and as part of, the complete subdivision plan.

## **South Brunswick Township Checklist**

### **Sec. 62-153 Preliminary Approval of Major Subdivisions**

- d. The locations of all existing vegetated areas to be used for implementation of nonstructural stormwater management techniques.
- e. Reserved.
- f. The secondary drainage route and capacity from a sump or cul-de-sac which has its low point at its end, as well as its possible drainage area and discharge on the basis of a ten-year storm with the storm system being inoperative from blockage from debris.
- g. The size, type, slope, length, elevation, capacity and anticipated flow of all storm drains.
- h. The proposed final elevations of dwellings at their corners.
- i. The proposed and existing elevations of the lots, with drainage arrows indicating the drainage of the lot.
- j. The proposed curb elevations at all lot corners.
- k. The low and high points of all roads, as well as changes in grade shown in the plan, with the percent of grade.
- l. The location of existing generally wooded areas and the exact location of existing trees with a caliper of five inches or more at four feet, in and within 25 feet of any street right-of-way.
- m. The location of all stakes placed on the property to aid in on-site at all street intersections and at such additional locations as the municipal inspections. The stakes shall be placed at the center of all culs-de-sac, agency may deem necessary. The locations indicated on the plat shall be accurate within five feet.
- n. Cross sections and details of all municipal improvements.
- o. The title block, with at least the following information shown thereon, if not otherwise shown on the preliminary plat:
  - 1. The title of the map.
  - 2. The name of the subdivision, if any.
  - 3. The tax map sheet, block and lot number of the tract to be subdivided, as shown on the latest tax map.
  - 4. The acreage of the tract to be subdivided, to the nearest tenth of an acre.
  - 5. The date of the original plat and all revisions.
  - 6. The names and addresses of the owner and subdivider, so designated.

## South Brunswick Township Checklist

### Sec. 62-153 Preliminary Approval of Major Subdivisions

7. The north point.
  8. Written and graphic scales.
  9. The zone in which the subdivision is located and the requirements of the zone.
  10. Zones which abut on the subdivision.
  11. The signature and seal of the land surveyor or engineer.
- p. A key map, at a scale not smaller than one inch equals 1,000 feet, showing the relation of the portion to be subdivided to the entire tract and the relation of the entire tract to the surrounding area for at least 1,000 feet in all directions beyond its boundaries.
- (2) *Detailed engineering report.* A detailed engineering report shall be filed which contains the following:
- a. Design plans for any proposed individual water supply or sewage disposal system, which plans must be approved by the appropriate local, county or state health agency.
  - b. One percolation test, plus one for each lot of the tract to be subdivided, unless immediate connection to a public sewer is planned.
- (3) *Soil erosion and sedimentation control plan.* A soil erosion and sedimentation control plan shall be submitted in accordance with the standards and requirements of the soil conservation district. A permit to place soil, fill land or remove soil is also required pursuant to article V of [chapter 42](#)
- (4) *Site development stormwater plan.* A site development stormwater plan shall be submitted. The plan shall meet the requirements set forth in article VI of this chapter.
- (5) *Recycling plan.* A plan, in the form of a narrative description and diagrams or maps, shall be submitted for every development proposal for the construction of 50 or more units of single-family or two-family housing, any multifamily or townhouse housing and any nonresidential development proposal for the utilization of 1,000 square feet or more of land. The plan shall include details as to the storage, collection, disposition and recycling of recyclable materials as designated in article II of [chapter 94](#) and shall comply with the requirements of [section 94-41](#). When a nonresidential tenant/user is unknown at the time of the subdivision application, the recycling plan shall be submitted as part of a subsequent tenancy review application.
- (6) *Environmental impact statement.* An environmental impact statement shall be submitted pursuant to the requirements of article V of this chapter.
- (7) *Disclosure of ownership.* Disclosure of ownership shall be submitted pursuant to [section 62-2838\(b\)](#).

## South Brunswick Township Checklist

### Sec. 62-153 Preliminary Approval of Major Subdivisions

(8) *Review by state.* Application and proof of the application shall be made to the state department of environmental protection and energy for a letter of interpretation or an exemption letter, acknowledging review by this agency.

(9) *Tree replacement plan.* A tree replacement plan shall be submitted in accordance with article IV of [chapter 118](#)

(10) *Affordable housing compliance mechanism.* Proof of an affordable housing compliance mechanism that has received written permission from the South Brunswick Township Council pursuant to [section 62-2002\(c\)](#).

(b) *Application procedure.* The application procedure shall be as follows:

(1) *Copies submitted to municipal officials for report.* The secretary of the municipal agency shall forward one copy of the application to the township planner, the township engineer, the chairman of the site plan and subdivision review committee and such other officials as directed by the board and shall request that each of them file a written report of findings and recommendations, giving full consideration to the standards and principles for the design, review and approval for subdivisions set forth in division 2 of this article prior to the next regular meeting of the board.

(2) *Informational copies of application.* The secretary of the municipal agency shall also forward one copy of the application to each of the following:

- a. The board of health.
- b. The board of education.
- c. The public works director.
- d. The county planning board.
- e. The state water policy commission.
- f. The environmental commission.
- g. The Freehold Soil Conservation District.
- h. The traffic safety department.
- i. The public library.
- j. Such other municipal, county or state officials as directed by the board.

(3) *Compliance with notice and hearing requirements.* The applicant shall comply with the notice and hearing requirements of this chapter.

(4) *Copies of decision; publication.* The secretary shall mail a copy of the decision of the board to the applicant or his attorney and to all other persons who have requested it, within ten days after approval has been granted or denied. The secretary shall also file a copy of the decision with the township clerk and shall cause a brief notice of the decision to be published in the official newspaper of the township.

## South Brunswick Township Checklist

### Sec. 62-153 Preliminary Approval of Major Subdivisions

(c) *Time for preliminary approval.* Limitations on the time for preliminary approval shall be as follows:

(1) *Time for decision.* Upon submission of a complete application for a subdivision of ten or fewer lots, the planning board shall grant or deny preliminary approval within 45 days of the date of such submission or within such further time as may be consented to by the developer. Upon submission of a complete application for a subdivision of more than ten lots, the planning board shall grant or deny preliminary approval within 95 days of the date of such submission or within such further time as may be consented to by the developer. Otherwise, the planning board shall be deemed to have granted preliminary approval for the subdivision.

(2) *Amended application.* If the planning board requires any substantial amendment in the layout of improvements proposed by the developer that have been the subject of a hearing, an amended application shall be submitted and proceeded upon as for the original application.

(3) *Incomplete application.* If the township planner determines that the application is incomplete, he shall notify the applicant, in writing, within 45 days of submission of the deficiencies found in the application. Failure to notify the applicant shall cause the application to be deemed to be complete.

(d) *Effect of preliminary approval of major subdivision.* Preliminary approval of a major subdivision shall, except as provided in subsection (d)(4) of this section, confer upon the applicant the following rights for a three-year period from the date of preliminary approval:

(1) *Finality of terms.* The general terms and conditions on which preliminary approval was granted shall not be changed, including but not limited to use requirements; layout and design standards for streets, curbs and sidewalks; bikeways; lot size; yard dimensions; off-tract improvements; and, in the case of a site plan, any requirements peculiar to site plan approval pursuant to N.J.S.A. 40:55D-41), except that nothing in this subsection shall be construed to prevent the township from modifying, by ordinance, such general terms and conditions of preliminary approval as related to public health and safety.

(2) *Construction of improvements; submission for final approval.* The applicant may construct any and all improvements as approved, except those improvements as specifically exempted by this chapter. The applicant may seek final approval for all or a section of the development following the construction of such improvements or by the posting of performance guaranties as required by [section 62-154\(f\)](#), provided that application for final approval shall be made prior to the expiration of preliminary approval, subject to extensions noted in subsection (d)(3) of this section

(3) *Extensions of time.* The applicant may apply for and the municipal agency may grant extensions on such preliminary approval for additional periods of at least one year, but not to exceed a total extension of two years, provided that, if the design standards have been revised by ordinance, such revised standards may govern.

## South Brunswick Township Checklist

### Sec. 62-153 Preliminary Approval of Major Subdivisions

(4) *Preliminary approval extended beyond three years.* Preliminary approval may extend beyond three years as follows:

a. For a subdivision of an area of 50 acres or more, the municipal agency may grant the rights referred to in subsection (d)(1), (2) and (3) of this section for such period of time longer than three years as shall be determined by the municipal agency to be reasonable, taking into consideration the following:

1. The number of dwelling units and nonresidential floor area permissible under preliminary approval.
2. Economic conditions.
3. The comprehensiveness of the development.

b. The applicant may apply for thereafter and the municipal agency may thereafter grant an extension to preliminary approval for such additional period of time as shall be determined by the municipal agency to be reasonable, taking into consideration the following:

1. The number of dwelling units and nonresidential floor area permissible under preliminary approval.
2. The potential number of dwelling units and nonresidential floor area of the section awaiting final approval.
3. Economic conditions.
4. The comprehensiveness of the development.

c. If the design standards have been revised, such revised standards may govern.

*(Code 1988, § 175-42; Ord. No. 26-94, § 2, 8-16-1994; Ord. No. 28-94, §§ 2, 3, 8-16-1994; Ord. No. 32-94, § 2, 9-18-1994; Ord. No. 90-01, § I, 12-11-2001; Ord. No. 2007-16, § I, 3-27-2007; Ord. No. 2010-29, § I, 7-27-2010; Ord. No. 2011-22, § I, 7-26-2011*

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